The County of Orange, California ("County"), is located in the densely populated coastal area of Southern California, bordered by Los Angeles County on the north, San Diego County on the south, Riverside and San Bernardino Counties on the east, and the Pacific Ocean on the west.

The County operates is Countywide Coordinated Communications Systems ("CCCS") in support of over one hundred Public Safety departments and agencies within the County and its thirty-four incorporated cities, serving a population of nearly 3,000,000 permanent residents plus a significant tourist population, visiting its harbors and beaches, Disneyland, Knott's Berry Farm, the Anaheim Angels and the Anaheim Mighty Ducks, and its many convention centers.

The various Private Land Mobile communications subsystems comprising the CCCS utilize frequencies throughout the Public Safety Pool, ranging from 37 MHz through 800 MHz, incorporating frequencies that were formerly from the discipline-specific pools for Emergency Medical, Fire, Forestry-Conservation, Highway Maintenance, Local Government, Police, and Special Emergency frequencies.

Keeping pace with the ever-changing and expanding Public Safety operating requirements of the County and its political subdivisions requires frequent changes to the radio licenses granted by the Commission to these bodies, accompanied by required Frequency Coordination. Due to the mixture of frequencies currently authorized and the lack of available spectrum in the Los Angeles metropolitan area in general and for Public Safety in particular, all Public Safety Pool frequencies must be carefully scrutinized for new requirements as well as changes to existing systems.

Currently, regardless of which FCC-designated Public Safety Frequency Coordinator is involved, additional delays and additional costs are introduced into the Frequency Coordination process whenever a Public Safety application incorporates frequencies from more than one of the former discipline-specific frequency pools. This is because the Commission's Rules and Regulations continue to require the "cross-coordination" of all such frequencies, and the instances of such mixed-frequency applications grow more necessary every day. Perhaps even more important than additional costs are the delays caused by the "cross-coordination" process. The County has experienced that "cross-coordination" can cause significant delays on mixed-frequency applications may take up to several months for many--if not most--Public Safety Frequency Coordination requests, and has also observed such delays are impacting other local Public Safety agencies.

It is noted that the Commission eliminated this requirement in the former Local Government frequencies, as well as for the 470-512, 700, and 800 MHz bands, in order to increase competition and improve the level and speed of service of Public Safety Frequency Coordination. The County believes that the Commission's vision of the benefits of competition in this area has been successfully demonstrated in that service levels have improved along with cost-competitive access.

The Commission sought comment on use of a contour overlap approach to Public Safety Pool frequencies below 512 MHz. While the County is not intimately familiar with the process in use for the "IB Pool" frequencies, the County does believe that the analysis of coverage contours can be a meaningful engineering prediction tool; however, such contours are just that, a prediction tool only. Due to the radio congestion in the Los Angeles Metropolitan area, in combination with the area's mountainous terrain, Public Safety agencies have grown dependent on actual "on-the-air" field testing to determine "actual" compatibility, as opposed to "predicted" compatibility, between proposed new systems and/or existing system modifications and existing co-channel and adjacent-channel licensees. Based on the overwhelming success of this "field testing" approach that virtually always prevents harmful interference to existing Public Safety communications systems, the County urges the Commission to treat a contour overlap approach as a tool only that can be augmented and/or superceded by, where appropriate, actual "on-the-air" field tests.

Not withstanding the above, the County also believes that the current data exchange among the Public Safety Frequency Coordinators has proven to be successful and must be retained.

The County appreciates that many of the former discipline-specific frequency pool Public Safety Frequency Coordinators recognized, supported, and maintained state, regional, and local "radio frequency plans" that facilitate the critical day-to-day as well as emergency and disaster response activities of the nation's Public Safety agencies. The County believes that any of the Commission-designated Communications are able to recognize, support, and maintain such plans for the various former Public Safety disciplines, and urges the Commission to direct them to so do.

The County understands that this proceeding in itself will not provide any spectrum relief for Public Safety eligibles in the highly-congested Southern California area. However, it does believe that opening competition to Public Safety Frequency Coordination on the formerly discipline-specific Public Safety frequencies will enhance access to <u>all</u> Public Safety frequencies by <u>all</u> Public Safety applicants. Additionally, it will greatly speed the Frequency Coordination process, and assure that the associated costs will be competitive.

For the above reasons, the County urges the Commission to adopt the opening of competition to all Public Safety frequencies to all Commission-designated Public Safety Frequency Coordinators without delay. The County also urges the Commission to direct the Public Safety Frequency Coordinators to recognize, support, and maintain the state, regional, and local "radio frequency plans" so vital to the nation's Public Safety responders.

Respectfully submitted by:

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